



Department  
of Education

John R. Kasich, Governor  
Michael L. Savyers, Acting Superintendent of Public Instruction

March 7, 2013

**Via Certified Mail and Electronic Delivery**

The Honorable Frank G. Jackson  
Cleveland City Hall  
601 Lakeside Ave.  
Cleveland, Ohio 44114

Denise W. Link, Chair, Board of Education  
Eric S. Gordon, Chief Executive Officer  
Cleveland Municipal School District  
Administration Building  
1380 East Sixth Street, Room 152  
Cleveland, Ohio 44114

***Re: Cleveland Municipal School District Academic Distress Commission***

Dear Mayor Jackson, Ms. Link, and Mr. Gordon:

Ohio Revised Code (“O.R.C.”) Section 3302.10 provides that the State Superintendent of Public Instruction shall establish an Academic Distress Commission for each school district that has been declared to be in a state of academic emergency pursuant to Section 3302.03 of the Revised Code and has failed to make adequate yearly progress for four or more consecutive school years. This letter serves as notice that the Cleveland Municipal School District meets the statutory criteria for the establishment of an Academic Distress Commission for the Cleveland Municipal School District (“the Commission”).

The statutory purpose of the Commission is to assist in improving the academic performance of the Cleveland Municipal School District through the development of an Academic Recovery Plan. The Plan must be adopted within 120 days after the first meeting of the Commission, and it must address academic problems at the district and school levels. In the process of developing the Academic Recovery Plan, the Commission is required to seek input from the District Board of Education regarding ways to improve the District’s academic performance.

Pursuant to O.R.C. Section 3302.10, the Commission's Academic Recovery Plan must include: (1) the short and long-term actions to be taken to improve the district's academic performance; (2) the sequence and timing of those actions and the persons responsible for implementing them; (3) the resources that will be applied toward improvement efforts; (4) the procedures for monitoring and evaluating improvement efforts; and (5) the requirements for reporting to the Commission and the District the status of improvement efforts. Ultimately, the Commission must submit the Plan to the State Superintendent of Public Instruction for review and approval.

The Cleveland Commission will be comprised of five voting members -- three of whom are appointed by the State Superintendent of Public Instruction, and two of whom are appointed by the District Board President. The State Superintendent must designate a Commission Chairperson, and the Chairperson must appoint a Secretary who is not a member of the Commission. All appointments must be made within thirty days from the date of this letter. Thus, in accordance with O.R.C. Section 3302.10, I am requesting that, on or before April 8, 2013, the District Board President submit to me, in writing, the two required appointments.

The statute provides that, immediately after the appointment of members, the Superintendent of Public Instruction must call the first meeting of the Commission. At the meeting, the Commission must adopt temporary bylaws that will govern until the adoption of permanent bylaws. In addition, the Commission must review its statutory responsibilities and the requirements of Ohio's Ethics Laws, the Open Meetings Act and the Public Records Act as they pertain to Commission members.

Under O.R.C. Section 3302.10, the Commission will continue to operate until the Cleveland District receives a grade of C or better for both the performance index and value-added dimensions for two of the three prior school years under the report card measures in place beginning in 2012/2013. The Commission may be dissolved at an earlier time if the Superintendent of Public Instruction determines that Cleveland can perform adequately without the supervision.

Well in advance of the first meeting, ODE will distribute forms such as draft bylaws and an oath of office and other materials necessary for the first meeting. As the work of the Cleveland Commission progresses, the Department of Education will fulfill its statutory responsibility to provide the Commission with the administrative support, data and information on resources that could assist the Commission in its work. John Richard, Senior Executive Director in the Center for Accountability and Continuous Improvement will serve as the Department's primary contact for the Commission. John Richard can be reached at 614-466-5795, or via email at [John.Richard@education.ohio.gov](mailto:John.Richard@education.ohio.gov).

Although the task at hand is formidable, I know that you are committed to the academic achievement of Cleveland's students, a commitment that I share. If you have questions or concerns throughout this process, please do not hesitate to contact

me or John Richard. We will diligently work to ensure that the Cleveland Academic Distress Commission has the support it needs to accomplish its objectives.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael L. Sawyers", with a stylized flourish extending to the right.

Michael L. Sawyers  
Acting State Superintendent of Public Instruction

C: P.R. Casey, Chief Legal Counsel, ODE  
Sharon Jennings, Deputy Legal Counsel, ODE  
T. Thomas-Manning, Associate Superintendent, ODE  
J. Richard, Senior Executive Director, ODE